

January 2009

TO: Members of the House Federal Relations, Energy, and Telecommunications Committee

FROM: Todd Everts, staff attorney

RE: Services available to Committee members

EXHIBIT 1  
DATE 1-7-09  
HB ORG MEETING

I will perform the following functions in support of the committee:

1. draft all amendments adopted by the committee during committee action, using the same bill drafting guidelines as were applied to the original bill and, with the presiding officer's authorization, make necessary changes in grammar, punctuation, word choice, and sentence structure, that do not affect the meaning;
2. draft proposed amendments upon request of individual committee members before committee action on a given bill;
3. draft proposed amendments to be moved on Second Reading before the full Senate or House of Representatives upon request of any committee member;
4. draft committee bills;
5. review legislation and advise the committee as to constitutionality, internal consistency, possibility of conflict with existing provisions and other bills, and compliance with other bill drafting provisions, such as grammar, punctuation, word choice, and statutory sentence structure;
6. attend subcommittee meetings to perform the appropriate functions listed above;
7. attend conference committee or free conference committee deliberations as invited to perform the appropriate functions listed above; and
8. assist the committee or an individual committee member in obtaining data or any pertinent information from state or local agencies, the federal government, or other states pertaining to bills under deliberation by the committee.

My office is located on the 1st floor (west wing) of the Capitol in room 171. My telephone number is 444-3747 and my email is teverts@mt.gov. My regular office hours are Monday - Friday, 5:40 a.m. - 5:10 p.m. I will be working weekends on an unscheduled basis and Saturday mornings on an alternating schedule. During January, I will have extended hours.

I look forward to working with you this session. If you need anything, don't hesitate to contact me.

## **House Federal Relations, Energy and Telecommunications Committee - 2009**

### **Amendments:**

- (1) Legislative staff will draft amendments only at the request of any legislator. A legislator must be willing to "sponsor" proposed amendments before the legislative services staff (drafter, editor, attorney) will devote time to an amendment.
- (2) Committee members are the only legislators who can move amendments to a bill while the bill is in committee.
- (3) Although legislators who are not on the committee may request that amendments be drafted, they must be able to convince a committee member to move, carry or "sponsor" the amendments while the bill is in committee.
- (4) It is best that requests of staff to draft amendments to a bill while it is in committee come from a member of the committee. Otherwise, if no committee member will agree to move the amendments, staff time will have been spent in drafting "dead" or non-introducible amendments. However, once on the floor of the House ("committee of the whole"), a bill may be amended by any legislator.

### **Timelines for Submission of Amendments**

Amendments should be verbally suggested or submitted in writing to the committee during the first reading hearing, and preferably not during the executive session.

Amendments to be presented to the committee for consideration during executive session must be:

- A) requested by a legislator (see 1 through 4 above); and
- B) submitted in writing to staff for drafting, legal review, function and coordination analysis, and editing by noon of the day prior to executive action on the bill.

This deadline will be even more important as the session progresses and more bills and amendments are up for consideration. Complicated amendments or substantive amendments to complex legislation can require considerable staff time to analyze, cross reference, draft, edit, and prepare accurately. Voting on conceptual amendments is risky in the event that they do not function once they are incorporated into the bill.

#### **Exception:**

A minor amendment that requires no detailed analysis or editing (changing a word or date, clerical corrections, etc.) may be considered on shorter notice and/or during executive session at the discretion of the Chair.